

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/473,851	FRAZIER, ALAN J.	
	Examiner Albert Wang	Art Unit 2115	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to RCE filed November 11, 2004.
2.  The allowed claim(s) is/are 1-8 and 21-28, renumbered as 1-16.
3.  The drawings filed on 27 December 1999 are accepted by the Examiner.
4.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All
  - b)  Some\*
  - c)  None
  1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

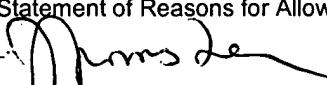
\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6.  CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application (PTO-152)
6.  Interview Summary (PTO-413),  
Paper No./Mail Date 12102004.
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_

  
 THOMAS LEE  
 SUPERVISORY PATENT EXAMINER  
 TECHNOLOGY CENTER 2100

### **DETAILED ACTION**

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on November 2, 2004 has been entered.

#### ***Examiner's Amendment***

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Roger Fulghum (Reg. No. 39,678) on December 7, 2004.

The application has been amended as follows:

1. (Currently Amended) A method for configuring the software of a headless, USB-compliant computer of a computer network, comprising the steps of:
  - coupling a communications link between the headless computer and a configuration computer, the communications link coupled at a USB port of each of the headless computer and the configuration computer, wherein the headless computer comprises a computer that does not include a monitor, keyboard, mouse, and video card;
  - establishing data communication between the headless computer and the configuration computer through the communications link coupled between the USB ports of the

headless computer and configuration computer; and

communicating data between the headless computer and the configuration computer to configure the software of the headless computer.

2. (Currently Amended) The method for configuring the software of a headless, USB-compliant computer of claim 1, wherein the step of establishing data communication between the headless computer and the configuration computer comprises the steps of,

transmitting from the configuration computer to the headless computer a query concerning the identity of the headless computer; and

receiving from the headless computer data indicative of the identity of the headless computer.

3. (Currently Amended) The method for configuring the software of a headless, USB-compliant computer of claim 2, further comprising the step of determining at the configuration computer whether the headless computer is a USB-compliant device.

4. (Currently Amended) The method for configuring the software of a headless, USB-compliant computer of claim 3, further comprising the step of performing a configuration routine at the configuration computer on the basis of the identity of the headless computer to permit the configuration computer to communicate with the headless computer if the headless computer is determined to be USB-compliant.

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5. (Currently Amended) The method for configuring the software of a headless, USB-compliant computer of claim 4, further comprising the step of initiating configuration application software at the configuration computer.
  
6. (Currently Amended) The method for configuring the software of a headless, USB-compliant computer of claim 5, further comprising the steps of communicating between the configuration computer and the headless computer to cause the headless computer to initiate configuration application software at the configuration computer to permit data communication between the configuration computer and the headless computer.
  
7. (Currently Amended) The method for configuring the software of a headless, USB-compliant computer of claim 1, wherein the configuration computer is a portable computer.
  
8. (Currently Amended) The method for configuring the software of a headless, USB-compliant computer of claim 1, wherein the configuration computer is a palmtop computer.
  
- 9-20. (Cancelled).
  
21. (Currently Amended) A method for configuring the software of a headless, USB-compliant computer, the headless computer having the ability to transmit data according to a data transmission protocol that accommodates hot-swapping of peripherals and automatic identification of peripherals capability, comprising:

coupling a communications link between the headless computer and a configuration computer, the communications link coupled at a USB port of each of the headless computer and the configuration computer, the port having the capability of transmitting data according to the data transmission protocol, wherein the headless computer comprises a computer that does not include a monitor, keyboard, mouse, and video card;

establishing data communication between the headless computer and the configuration computer through communications link and the ports of the headless computer and the configuration computer; and

communicating data between the headless computer and the configuration computer to configure the software of the headless computer.

22. (Currently Amended) The method for configuring the software of the headless, USB-compliant computer of claim 21, wherein the step of establishing data communication between the headless computer and the configuration computer comprises the steps of:

transmitting data from the configuration computer to the headless computer a query concerning the identity of the headless computer; and

receiving from the headless computer data indicative of the identity of the headless computer.

23. (Currently Amended) The method for configuring the software of the headless, USB-compliant computer of claim 22, further comprising the step of determining at the configuration computer whether the headless computer has the ability to transmit data according

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to the data transmission protocol.

24. (Currently Amended) The method for configuring the software of the headless, USB-compliant computer of claim 22, further comprising the step of performing a configuration routine at the configuration computer on the basis of the identity of the headless computer to permit the configuration computer to communicate with the headless computer if the headless computer is determined to have the ability to transmit data according to the data transmission protocol.

25. (Currently Amended) The method for configuring the software of the headless, USB-compliant computer of claim 24, further comprising the step of initiating configuration application software at the configuration computer.

26. (Currently Amended) The method for configuring the software of the headless, USB-compliant computer of claim 25, further comprising the steps of communicating between the configuration computer and the headless computer to cause the headless computer to initiate configuration application software at the configuration computer to permit data communication between the configuration computer and the headless computer using a graphical user interface.

27. (Currently Added) The method for configuring the software of a headless, USB-compliant computer of claim 1, wherein the headless computer is a server computer.

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28. (Currently Added) The method for configuring the software of the headless, USB-compliant computer of claim 21, wherein the headless computer is a server computer.

3. The following is an examiner's statement of reasons for allowance:

Comer, U.S. Patent No. 6,081,856, teaches a method for configuring the software of a headless computer of a computer network, comprising the steps of:

coupling a communications link between the headless computer and a configuration computer (col. 8, lines 33-41, between embedded computer and portable computer; fig. 1, between computer 12 and external device 44; col. 10, lines 51-53, external device is another computer), the communications link coupled at a port of each of the headless computer and the configuration computer (col. 10, lines 44-50, interface 30 on computer is a port; fig. 1, external device is depicted as having a port), wherein the headless computer comprises a computer that does not include a monitor, keyboard, mouse, and video card (col. 8, lines 23-32, computer operated without emulated peripheral devices - "even without a video card"; col. 2, lines 27-37, peripheral device such as a mouse);

establishing data communication between the headless computer and the configuration computer through the communications link coupled between the ports of the headless computer and configuration computer (col. 8, lines 41-47); and

communicating data between the headless computer and the configuration computer to configure the software of the headless computer (col. 8, lines 47-52).

Although Comer teaches configuring a computer via its serial port (col. 10, lines 43-50), Comer is silent with respect to using a USB port.

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The prior art of record does not teach or suggest, individually or in combination, establishing data communication with a headless computer via its USB port to configure the computer's software, wherein the headless computer comprises a computer that does not include a monitor, keyboard, mouse, and video graphics card.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

4. Claims 1-8 and 21-28, renumbered as 1-16, are allowed
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Albert Wang whose telephone number is 571-272-3669. The examiner can normally be reached on M-F (9:30 - 6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas C. Lee can be reached on 571-272-3667. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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December 10, 2004



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